



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE U.S. PATENT OF

BANDYOPADHY ET AL.

PATENT NO: 6,576,651

10 | 057,390

ISSUED: JANUARY 25, 2002

FOR: PHARMACEUTICAL COMPOSITIONS, DOSAGE FORMS AND
METHODS FOR ORAL ADMINISTRATION OF EPOTHILONES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate
MAY 18 2005
of Correction

TERMINAL DISCLAIMER

Sir:

Bristol-Myers Squibb Company, a Delaware corporation, having a place of business at Lawrenceville-Princeton Road, Princeton, NJ 08543-4000, represents that it is the assignee and owner of the entire interest in the above-identified patent by virtue of an assignment which was recorded in the United States Patent and Trademark Office on April 17, 2002 at Reel/Frame 012596/0586.

Bristol-Myers Squibb Company hereby disclaims, except as provided below, the terminal part of the statutory term of the above-identified patent which would extend beyond the expiration date of the full statutory term defined in 35 USC §154-156 and §173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending **Application No. 10/051,727** filed January 17, 2002. Said Application No. 10/051,727 is also assigned to Bristol-Myers Squibb Company by virtue of an assignment which was recorded in the United States Patent and Trademark Office on April 16, 2002 at Reel/Frame 012593/0470.

Bristol-Myers Squibb Company hereby agrees that the above-identified patent shall be enforceable only for and during such period that it and any patent granted on Application No. 10/051,727 are commonly owned. This agreement runs with the above-identified patent and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Bristol-Myers Squibb Company does not disclaim the terminal part of the above-identified patent that would extend to the expiration date of the full statutory term as defined in 35 USC §154-156 and §173 of any patent granted on Application No. 10/051,727, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

A terminal disclaimer fee under 37 CFR §1.20(d) is included.

Signed this 12th day of MAY, 2005 by the undersigned attorney of record.

Bristol-Myers Squibb Company
Patent Department
P.O. Box 4000
Princeton, NJ 08543-4000
(609) 252-4338

Stephen B. Davis
Stephen B. Davis
Attorney for Applicants
Reg. No. 26,693

Disclaimer

6,576,651 B2 -- Rebanta Bandyopadhyay, Portage, MI (US); Timothy M. Malloy, Yardley, PA (US); Andrea Panaggio, West Windsor, NJ (US); Krishnaswamy Srinivas Raghavan, Cranbury, NJ (US); Sailesh Amilal Varia, Princeton Junction, NJ (US). PHARMACEUTICAL COMPOSITIONS, DOSAGE FORMS AND METHODS FOR ORAL ADMINISTRATION OF EPOTHILONES. Patent dated June 10, 2003. Disclaimer filed May 16, 2005 by Assignee, Bristol-Myers Squibb Company, a Delaware Corporation.

The term of this patent shall not extend beyond the expiration date of Patent No. 6,670,384.



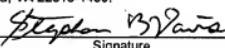
CASE LD0272 (NP)

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Stephen B. Davis

Type or print name


Signature

5/12/05

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

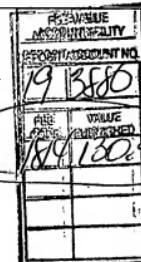
BANDYOPADHYY ET AL.

APPLICATION NO: 10/057,390

FILED: JANUARY 25, 2002

FOR: PHARMACEUTICAL COMPOSITIONS, DOSAGE FORMS AND
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Art Unit: 1614 



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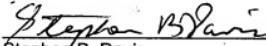
FEE LETTER

Sir:

Enclosed herewith is a Terminal Disclaimer in the above-identified application.

The Commissioner is hereby authorized to charge the \$130 fee under 37 CFR §1.20(d) and any additional fees that may be required to Deposit Account No. 19-3880 in the name of Bristol-Myers Squibb Company. An additional copy of this paper is here enclosed.

Respectfully submitted,


Stephen B. Davis
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Date: 5/12/05



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CASE LD0272 (NP)

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Bristol-Myers Squibb Company hereby disclaims, except as provided below, the terminal part of the statutory term of the above-identified patent which would extend beyond the expiration date of the full statutory term defined in 35 USC §154-156 and §173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,670,384 issued December 30, 2003. Said Patent No. 6,670,384 is also assigned to Bristol-Myers Squibb Company by virtue of an assignment which was recorded in the United States Patent and Trademark Office on August 8, 2002 at Reel/Frame 013202/0795.

Bristol-Myers Squibb Company hereby agrees that the above-identified patent shall be enforceable only for and during such period that it and prior Patent No. 6,670,384 are commonly owned. This agreement runs with the above-identified patent and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Bristol-Myers Squibb Company does not disclaim the terminal part of the above-identified patent that would extend to the expiration date of the full statutory term as defined in 35 USC §154-156 and §173 of prior Patent No. 6,670,384, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

A terminal disclaimer fee under 37 CFR §1.20(d) is included.

Signed this 12th day of MAY, 2005 by the undersigned attorney of record.

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